

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA

DARRYL ORRIN BAKER,)
Plaintiff,)
VS.) CIVIL ACTION NO.# 1:05-cv-00147
United States of America)
Government Officials at)
FCI-MCKEAN, WARDEN, OFFICER)
B. WESEMEN, MEDICAL DEPARTMENT)
Defendants.

PLAINTIFF'S MOTION TO AMEND PLAINTIFF'S
SECOND AMENDED COMPLAINT

NOW COMES, the Plaintiff DARRYL ORRIN BAKER (hereinafter "PLAINTIFF"), and proceeding pro-se and respectfull requests and moves this Honorable Court in the interest of justice to grant the Plaintiff's Motion to Amend the Plaintiff's Second Amended Complaint and for the reasons that follow:

(1) The Plaintiff received from the Clerk of the Court Robert V. Barth, Jr., a letter fro documents to be received to this Honorable Court to file a motion to amend, and a letter for change of address. See (attachment 1)

(2) That pro-se Plaintiff was unaware that this motion was needed.

(3) That the Plaintiff is now complying with the Clerk of the Court recommendation to file the appropriate documents to this Honorable Court.

(4) That his **pro-se** Plaintiff is filing this motion to amend the Plaintiff's Leave to File a Second Amended Complaint to comply with this Honoarble court's Rules of Civil Procedure, and the Magistrate Judge Susan Paradise Baxter's Order dated 12-09-2005.

(5) That this motion to amend the Plaintiff's Leave to File a Second Amended Complaint should be granted because this motion is in agreement with the rules of Civil Procedure 15(a) and (c) and will not prejudice the Defendant's .

Respectfully submitted
BY: Darryl Orin Baker
Darryl Orin Baker
Reg. No.# 19613-039
Federal Prison Camp
P.O. Box 2000
Lewisburg, PA.
17837

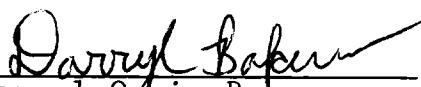
EXECUTED: DECEMBER 28, 2005.

CONCLUSION

The Plaintiff request that this Honorable Court grant this Motion to Amend the Plaintiff leave To File a Second Amended Complaint because the Plaintiff, is in agreement with the Rules of Civil Procedure 15(a) and (c), and also, the Plaintiff has followed the Clerk of the Court Robert V. Barth, Jr., instructions to file the appropriate documents.

Respectfully submitted

BY:


Darryl Orrin Baker
Reg. No.# 19613-039
Federal Prison Camp
P.O. Box 2000
Lewisburg, PA.
17837

EXECUTED: DECEMBER 28, 2005.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 28, day of December, 2005, a true and correct copy of the foregoing Plaintiff's Motion to Amend plaintiff's Second Amended Complaint was served by First-Class Mail VIA United States mail to the following:

United States Attorney's
Assistant United States Attorney
Megan E. Farrel &
Paul E. Skirtich
Western District of PA
700 Grant Street, Suite 4000
Pittsburgh, PA.
15219

Respectfully submitted

BY:


Darryl Orrin Baker
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Federal Prison Camp
P.O. Box 2000
Lewisburg, PA.
17837

EXECUTED: DECEMBER 28, 2005.

December 14, 2005

Clerk of the Court
Susan Paradis Baxter Magistrate Judge
Judge McLaughlin District Court Judge
United States District Court
Western District of Pennsylvania
17 South Park Row, Room A280
Erie, PA 16701

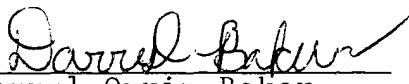
Case Name: BAKER v. UNITED STATES, et al
Case Number: 1:05-cv-147

Dear Clerk of the Court:

The Plaintiff acknowledge that, the Assistant United States Attorney's denoted that, they where not the recipient of the Plaintiff's Second Amended Complaint nos. 1:05-cv-147 and 1:05-cv-146E. The Plaintiff advise the Court that, the Plaintiff has sent both United States Attorney's a copy VIA United States mail to Megan E. Farrell, ("1:05-cv-146E") and Paul E. Skirtich, ("1:05-cv-147.

Thank you very much for your continual cooperation.

Respectfully submitted

BY: 
Darryl Orrin Baker
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encl:

cc: USMJ SUSAN PARADIS BAXTER
USDCJ MC LAUGHLIN